

110TH CONGRESS  
1ST SESSION

# H. R. 3257

To amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2007

Mr. KIND (for himself, Mr. WAMP, and Mr. INSLEE) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Fitness Integrated  
5       with Teaching Kids Act” or the “FIT Kids Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) STATE EDUCATIONAL AGENCY.—The term  
9       “State educational agency” has the meaning given

1 such term in section 9101 of the Elementary and  
2 Secondary Education Act of 1965 (20 U.S.C. 7801).

3 (2) LOCAL EDUCATIONAL AGENCY.—The term  
4 “local educational agency” has the meaning given  
5 such term in section 9101 of the Elementary and  
6 Secondary Education Act of 1965 (20 U.S.C. 7801).

7 (3) SECRETARY.—The term “Secretary” means  
8 the Secretary of Education.

9 **SEC. 3. FINDINGS.**

10 Congress makes the following findings:

11 (1) Obesity-related diseases cost the United  
12 States economy more than \$100,000,000,000 every  
13 year.

14 (2) Of all United States deaths from major  
15 chronic disease, 23 percent are linked to sedentary  
16 lifestyles that now begin at childhood.

17 (3) Overweight adolescents have a 70 percent  
18 chance of becoming overweight adults, increasing  
19 their risk for chronic disease, disability, and death.

20 (4) Childhood obesity has reached epidemic pro-  
21 portions in the United States.

22 (5) In 2004, an estimated 9,900,000 children  
23 and adolescents ages 6 through 19 were considered  
24 overweight.

1           (6) The Department of Health and Human  
2       Services estimates that, by 2010, 20 percent of chil-  
3       dren and youth in the United States will be obese.

4           (7) A decline in physical activity has contrib-  
5       uted to the unprecedented epidemic of childhood  
6       obesity.

7           (8) Part of the decline in physical activity has  
8       been in our Nation's schools, where physical edu-  
9       cation programs have been cut back in the past two  
10      decades.

11          (9) Between 1991 and 2003, enrollment of high  
12      school students in daily Physical Education classes  
13      fell from 41.6 percent to 28.4 percent.

14          (10) Among children ages 9 to 13, 61.5 percent  
15      do not participate in any organized physical activity  
16      during out-of-school hours.

17          (11) In a 2005 Government Accountability Of-  
18      fice report on key strategies to include in programs  
19      designed to target childhood obesity, "increasing  
20      physical activity" was identified as the most impor-  
21      tant component in any such program.

22          (12) The Dietary Guidelines for Americans rec-  
23      ommend that children engage in at least 60 minutes  
24      of physical activity on most, preferably all, days of  
25      the week.

1           (13) The national standard for physical edu-  
2           cation frequency is 150 minutes per week in elemen-  
3           tary school and 225 minutes per week in middle and  
4           high school.

5           (14) Regular physical activity is associated with  
6           a healthier, longer life and a lower risk of cardio-  
7           vascular disease, high blood pressure, diabetes, obe-  
8           sity, and some cancers.

9           (15) Evidence suggests that physical activity  
10          may have a positive impact on academic perform-  
11          ance, self-concept, and symptoms of anxiety and de-  
12          pression.

13          (16) Approximately 81 percent of adults believe  
14          daily physical education should be mandatory in  
15          schools.

16 **SEC. 4. MULTIPLE MEASURES FOR ACCOUNTABILITY.**

17          For purposes of section 1111(b)(2) of the Elementary  
18          and Secondary Education Act of 1965, each State ac-  
19          countability system shall not only be based on academic  
20          assessments, but shall also be based on additional indica-  
21          tors. Such indicators shall include—

22                (1) demonstrated progress toward meeting the  
23          national goal for required physical education that  
24          is—

- 1 (A) 150 minutes per week for all students  
2 in elementary schools; and  
3 (B) 225 minutes per week for all students  
4 in middle and high schools; and  
5 (2) attendance rates at required physical edu-  
6 cation classes.

7 **SEC. 5. REPORT CARDS.**

8 Section 1111(h) of the Elementary and Secondary  
9 Education Act of 1965 is amended—

10 (1) in paragraph (1)(C)—

11 (A) in clause (vii) by striking “and” at the  
12 end;

13 (B) in clause (viii) by striking the period  
14 at the end and inserting a semicolon;

15 (C) by adding at the end the following:

16 “(ix) the amount of time students  
17 spend in required physical education as  
18 measured against the national standards of  
19 150 minutes per week of required physical  
20 education for students in elementary school  
21 and 225 minutes per week of required  
22 physical education for students in middle  
23 and high school;

24 “(x) the percentage of local edu-  
25 cational agencies in the State that have a

required, age-appropriate physical education curriculum for all students in elementary, middle and high schools that adheres to national guidelines adopted by the Center for Disease Control and Prevention and State standards;

“(xi) the percentage of elementary and secondary school physical education teachers who are State licensed or certified as physical education teachers; and

“(xii) the percentage of schools that have a School Health Council that includes parents, students, representatives of the school food authority, representatives of the school board, school administrators and members of the public and that meets monthly to promote a healthy school environment.”;

(2) in paragraph (2)(B)(i)—

(A) in subclause (I) by striking “and” at the end;

(B) in subclause (II) by striking “and” at the end;

(C) by adding at the end the following:

1 “(III) the amount of time stu-  
2 dents spend in required physical edu-  
3 cation as measured against the na-  
4 tional standards of 150 minutes per  
5 week of required physical education  
6 for students in elementary school and  
7 225 minutes per week of required  
8 physical education for students in  
9 middle and high school;

10 “(IV) the percentage of elemen-  
11 tary and secondary school physical  
12 education teachers who are State cer-  
13 tified as physical education teachers;  
14 and

15 “(V) the amount of square feet  
16 of indoor and outdoor facilities that  
17 are primarily used for physical edu-  
18 cation and the amount of square feet  
19 of indoor and outdoor facilities that  
20 are primarily used for physical activ-  
21 ity; and”; and

22 (3) in paragraph (2)(B)(ii)—

23 (A) in subclause (I) by striking “and” at  
24 the end;

1 (B) in subclause (II) by striking the period  
2 at the end and inserting a semicolon; and

3 (C) by adding at the end the following:

4 “(III) the amount of time stu-  
5 dents spend in required physical edu-  
6 cation as measured against the na-  
7 tional standards of 150 minutes per  
8 week of required physical education  
9 for students in elementary school and  
10 225 minutes per week of required  
11 physical education for students in  
12 middle and high school;

13 “(IV) the percentage of elemen-  
14 tary and secondary school physical  
15 education teachers who are State cer-  
16 tified as physical education teachers;  
17 and

18 “(V) the number of meetings of a  
19 School Health Council that includes  
20 parents, students, representatives of  
21 the school food authority, representa-  
22 tives of the school board, school ad-  
23 ministrators and members of the pub-  
24 lic during the school year.”.



1 **SEC. 6. PROMOTING PHYSICAL EDUCATION AND ACTIVITY**  
2 **IN SCHOOL PROGRAMS.**

3 (a) ELEMENTARY AND SECONDARY SCHOOL COUN-  
4 SELING PROGRAMS.—Section 5421(c)(2) of the Elemen-  
5 tary and Secondary Education Act of 1965 is amended  
6 in subsection (c)(2)—

7 (1) in subparagraph (A) by striking “coun-  
8 seling” and inserting “counseling, health,”; and

9 (2) in subparagraph (E) by inserting “healthy,  
10 active lifestyles,” after “relationships,”.

11 (b) SAFE AND DRUG-FREE SCHOOLS AND COMMU-  
12 NITIES.—

13 (1) STATE APPLICATION.—Section 4113(a) of  
14 the Elementary and Secondary Education Act of  
15 1965 is amended—

16 (A) in paragraph (18) by striking “and” at  
17 the end;

18 (B) by redesignating paragraph (19) as  
19 (20); and

20 (C) by inserting after paragraph (18) the  
21 following:

22 “(19) describes how activities funded under this  
23 part will foster a healthy lifestyle for children includ-  
24 ing encouraging healthy eating and regular physical  
25 activity; and”.

1           (2)       AUTHORIZED       ACTIVITIES.—Section  
2       4115(b)(1)(C) of that Act is amended—

3                   (A) in clause (i) by striking “and” at the  
4       end; and

5                   (B) by adding at the end the following:

6                           “(iii) encourage a healthy lifestyle in-  
7                   cluding healthy eating and regular physical  
8                   activity; and”.

9       (c) SMALLER LEARNING COMMUNITIES.—Section  
10   5441(b) of the Elementary and Secondary Education Act  
11   of 1965 is amended by adding at the end the following:

12                   “(14) How the local educational agency will en-  
13       sure that smaller learning communities support  
14       healthy lifestyles including participation in physical  
15       education and physical activity by all students and  
16       access to nutritious food and nutrition education.”.

17       (d) 21ST CENTURY COMMUNITY LEARNING CEN-  
18   TERS.—

19           (1) PURPOSE; DEFINITIONS.—Section 4201 of  
20       the Elementary and Secondary Education Act of  
21       1965 is amended—

22                   (A) in subsection (a)(2) by inserting “nu-  
23       trition education programs, structured physical  
24       activity programs,” after “recreation pro-  
25       grams,”; and

1 (B) in subsection (b)(1) by inserting “nu-  
2 trition education, structured physical activity,”  
3 after “recreation,”.

4 (2) LOCAL COMPETITIVE GRANT PROGRAM.—  
5 Section 4204(b)(2) of that Act is amended—

6 (A) in subparagraph (M) by striking  
7 “and” at the end;

8 (B) by redesignating subparagraph (N) as  
9 (O); and

10 (C) by inserting after subparagraph (M)  
11 the following:

12 “(N) an assurance that the proposed pro-  
13 gram is coordinated with the physical education  
14 and health education programs offered during  
15 the school day; and”.

16 (3) LOCAL ACTIVITIES.—Section 4205(a) of  
17 that Act is amended—

18 (A) in paragraph (11) by striking “and” at  
19 the end;

20 (B) in paragraph (12) by striking the pe-  
21 riod at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(13) programs that support a healthy, active  
24 lifestyle including nutritional education and regular,  
25 structured physical activity programs.”.

1 (e) PARENTAL INVOLVEMENT.—Section 1118 of the  
2 Elementary and Secondary Education Act of 1965 is  
3 amended—

4 (1) in subsection (a)(2)—

5 (A) in subparagraph (E) by striking “and”  
6 at the end;

7 (B) by redesignating subparagraph (F) as  
8 (G); and

9 (C) by inserting after subparagraph (E)  
10 the following:

11 “(F) involve and train parents in encour-  
12 aging and supporting a healthy and active life-  
13 style including increased physical activity dur-  
14 ing and outside the school day and supporting  
15 nutritional eating habits in the home and  
16 school; and”.

17 (2) in subsection (d)—

18 (A) in the subsection heading by inserting  
19 after “Achievement” the following: “of Active,  
20 Healthy Students”;

21 (B) in the matter preceding paragraph (1)  
22 by striking “standards.” and inserting “stand-  
23 ards and for ensuring that all children lead  
24 healthy, active lives.”; and

25 (C) in paragraph (1)—

1 (i) by inserting after “supportive” the  
2 following: “, healthy,”; and

3 (ii) by inserting after “extracurricular  
4 time” the following: “and supporting their  
5 children in leading a healthy and active  
6 life, such as by providing healthy meals  
7 and snacks, encouraging participation in  
8 physical education, and sharing in physical  
9 activity outside of the school day.”;

10 (3) in subsection (e)—

11 (A) by redesignating paragraphs (6)  
12 through (14) as (7) through (15), respectively;  
13 and

14 (B) by inserting after paragraph (5) the  
15 following:

16 “(6) shall ensure that parents and teachers  
17 have information about the importance of a healthy  
18 lifestyle, including nutrition, physical education and  
19 physical activity, to an effective learning environ-  
20 ment and shall coordinate with parents and teachers  
21 to ensure that children are provided with nutritious  
22 meals and snacks, and have ample opportunities for  
23 physical education and physical activity during and  
24 outside the school day;”.

1 (f) PARENTAL ASSISTANCE AND LOCATION FAMILY  
2 INFORMATION CENTERS.—

3 (1) PURPOSES.—Section 5561 of the Elemen-  
4 tary and Secondary Education Act of 1965 is  
5 amended by adding at the end the following:

6 “(7) To provide information and training to  
7 parents and educators about the importance of a  
8 healthy, active lifestyle and its positive impact on ef-  
9 fective learning, and on how to support good eating  
10 habits, regular physical activity and other activities  
11 that will lead to better performance in school.”.

12 (2) APPLICATIONS.—Section 5563(b)(2) of that  
13 Act is amended—

14 (A) in subparagraph (B) by striking “and”  
15 at the end;

16 (B) in subparagraph (C) by adding “and”  
17 at the end; and

18 (C) by adding at the end the following:

19 “(D) representatives of health profes-  
20 sionals and physical education professionals  
21 with expertise on improving the health and  
22 physical activity rates of children;”.

23 (3) USES OF FUNDS.—Section 5564(a) of that  
24 Act is amended by adding at the end the following:

1           “(7) To help parents understand the impor-  
2           tance of a healthy, active lifestyle and its positive  
3           impact on effective learning, and on how to support  
4           good eating habits, regular physical activity and  
5           other activities that will lead to better performance  
6           in school.”.

7           (4) ADMINISTRATIVE PROVISIONS.—Section  
8           5565(b)(1) of that Act is amended by adding at the  
9           end the following:

10                   “(F) The strategies used to help parents  
11                   understand the importance of a healthy, active  
12                   lifestyle and its positive impact on effective  
13                   learning, and on how to support good eating  
14                   habits, regular physical activity and other ac-  
15                   tivities that will lead to better performance in  
16                   school.”.

17           (g) HEALTHY HIGH-PERFORMING SCHOOLS.—Sec-  
18           tion 5583(a) of the Elementary and Secondary Education  
19           Act of 1965 is amended—

20                   (1) in paragraph (2) by striking “and” at the  
21                   end;

22                   (2) in paragraph (3) by striking the period at  
23                   the end and inserting “; and”; and

24                   (3) by adding at the end the following:

1 “(4) support healthy, active lifestyles for chil-  
2 dren including adequate space and facilities for su-  
3 pervised, structured physical activity and physical  
4 education.”.

5 **SEC. 7. PROFESSIONAL DEVELOPMENT FOR TEACHERS**  
6 **AND PRINCIPALS.**

7 (a) STATE APPLICATIONS.—Section 2112(b) of the  
8 Elementary and Secondary Education Act of 1965 is  
9 amended by adding at the end the following:

10 “(13) A description of how the State edu-  
11 cational agency will use funds under this part to  
12 provide professional development that is directly re-  
13 lated to the fields of physical education and health  
14 education to physical education teachers and health  
15 education teachers to ensure that children are lead-  
16 ing healthy, active lifestyles that are conducive to ef-  
17 fective learning.”.

18 (b) STATE USE OF FUNDS.—Section 2113(c)(6) of  
19 that Act is amended—

20 (1) by striking “in cases in which a State edu-  
21 cational agency determines support to be appro-  
22 priate,”; and

23 (2) by inserting “, physical education teachers,  
24 and health education teachers” after “pupil services  
25 personnel”.



1       (c) LOCAL APPLICATIONS AND NEEDS ASSESS-  
2     MENT.—Section 2122(b)(9) of that Act is amended—

3             (1) in subparagraph (C) by striking “and” at  
4     the end;

5             (2) in subparagraph (D) by striking the period  
6     at the end and inserting “; and”; and

7             (3) by adding at the end the following:

8                     “(E) improve the health and eating habits  
9                     of students and increase rates of physical activ-  
10                    ity of students.”.

11       (d) LOCAL USE OF FUNDS.—Section 2123(a)(3) of  
12     that Act is amended—

13             (1) in subparagraph (A)—

14                     (A) in clause (i) by striking “and” at the  
15                    end; and

16                     (B) by adding at the end the following:

17                             “(iii) effective strategies for improving  
18                             the healthy habits of students and the  
19                             rates of physical activity by students that  
20                             result in the ability to learn more effec-  
21                             tively; and”; and

22             (2) in subparagraph (B)—

23                     (A) in clause (iv) by striking “and” at the  
24                    end;

1 (B) in clause (v) by striking the period at  
2 the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(vi) provide training in how to teach  
5 physical education and health education  
6 that results in the ability of students to  
7 learn more effectively.”.

8 **SEC. 8. STUDY AND PILOT PROGRAM.**

9 Title V of the Elementary and Secondary Education  
10 Act of 1965 is amended by adding at the end the fol-  
11 lowing:

12 **“Subpart 22—Study and Pilot Program**

13 **“SEC. 5621. STUDY AND PILOT PROGRAM.**

14 “(a) NATIONAL ACADEMY OF SCIENCES PANEL AND  
15 STUDY.—Not later than 180 days after the date of enact-  
16 ment of this section, the Secretary shall enter into a con-  
17 tract with the National Research Council of the National  
18 Academy of Sciences to—

19 “(1) study and provide specific recommenda-  
20 tions for—

21 “(A) effectively measuring the progress of  
22 students, at the school level, in improving their  
23 health and well-being, including—

24 “(i) nutritional knowledge and aware-  
25 ness;

1 “(ii) cognitive development and fitness  
2 improvement in physical education;

3 “(iii) knowledge of lifetime physical  
4 activity and health promotion;

5 “(iv) decrease in obesity; and

6 “(v) improvement in overall health in-  
7 dicators; and

8 “(B) effectively measuring the progress of  
9 students, at the school level in increasing phys-  
10 ical activity;

11 “(2) study the impact of health, level of phys-  
12 ical activity, and amount of physical education on  
13 students’ ability to learn effectively and maximize  
14 performance in school;

15 “(3) study the amount of time children spend  
16 in moderate-to-vigorous physical activity during  
17 physical education classes;

18 “(4) study and provide specific recommenda-  
19 tions for the impact of parents on the health and  
20 level of physical activity on children and how schools  
21 can effectively engage parents in a partnership to  
22 improve the health and physical activity of all stu-  
23 dents;

24 “(5) study and provide specific recommenda-  
25 tions for innovate and effective ways to improve the

1 health of children, reduce child obesity and increase  
2 physical activity of all students;

3 “(6) study the changes to the school environ-  
4 ment needed to improve health and participation in  
5 physical activity;

6 “(7) study the effectiveness and impact of local  
7 school wellness councils;

8 “(8) study the effectiveness and impact of phys-  
9 ical fitness testing;

10 “(9) study the impact of regular physical activ-  
11 ity on brain development and cognitive ability in  
12 children; and

13 “(10) consider further research recommenda-  
14 tions regarding youth that will be incorporated into  
15 the Physical Activity Guidelines for Americans  
16 (2008).

17 “(b) MEMBERS OF THE PANEL.—The members of  
18 the panel shall include—

19 “(1) experts in child health and nutrition;

20 “(2) experts in education;

21 “(3) experts in physical education; and

22 “(4) representatives of academia, relevant gov-  
23 ernment agencies and local schools.

24 “(c) REPORT.—The panel shall issue a report no  
25 later than 18 months after the contract in subsection (a)

1 has been agreed to that makes specific recommendations  
 2 on addressing the goals in paragraphs (1) through (3) of  
 3 subsection (a).

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 5 are authorized to be appropriated for fiscal year 2008  
 6 such sums as may be necessary to carry out this section.”.

7 **SEC. 9. GRANT PROGRAM.**

8 Title V of the Elementary and Secondary Education  
 9 Act of 1965 is further amended by adding at the end the  
 10 following:

11 **“Subpart 23—Physical Activity and Physical**  
 12 **Education**

13 **“SEC. 5631. PHYSICAL ACTIVITY AND PHYSICAL EDUCATION**  
 14 **ASSESSMENT INCENTIVE GRANTS.**

15 “(a) PURPOSE.—The purpose of this subpart is to  
 16 award grants to develop, pilot, and implement high-qual-  
 17 ity, valid, and reliable assessments that measure cognitive  
 18 development in physical education and physical activity  
 19 skills, motor skills development, and how much students  
 20 value physical activity for health, enjoyment, challenge,  
 21 self-expression and social interaction as part of a com-  
 22 prehensive plan to improve the physical, academic, social,  
 23 and mental health of children and youth.

24 “(b) PROGRAM AUTHORIZED.—The Secretary is au-  
 25 thorized to award grants to States or partnerships of

1 States to develop, pilot, and implement high-quality, valid  
2 and reliable assessments that measure cognitive develop-  
3 ment in physical education and physical activity skills,  
4 motor skills development, and how much students value  
5 physical activity for health, enjoyment, challenge, self-ex-  
6 pression, and social interaction.

7 “(c) ELIGIBILITY AND APPLICATION REQUIRE-  
8 MENTS.—

9 “(1) ELIGIBILITY.—In order to be eligible to  
10 receive an award under this subpart, an applicant  
11 shall—

12 “(A) be a State or partnership of States;

13 “(B) have a comprehensive plan for ad-  
14 dressing the physical education, physical activ-  
15 ity, and health needs of the children and youth  
16 attending schools in the State or States that in-  
17 cludes—

18 “(i) a plan for reaching the national  
19 goal of 150 minutes of required physical  
20 education for elementary school students  
21 and 225 minutes of required physical edu-  
22 cation for secondary school students over  
23 time;

24 “(ii) support for the ongoing imple-  
25 mentation of local school wellness plans as

required in the Child Nutrition and WIC  
Reauthorization Act of 2004;

“(iii) a plan for reaching the national  
goal of 30 minutes of physical activity in  
school each day for every child;

“(iv) a public and parent engagement  
and education plan on the benefits of phys-  
ical education, physical activity and  
healthy life skills; and

“(v) a plan for increasing the avail-  
ability of high-quality professional develop-  
ment for teachers of physical education  
and health education that is directly re-  
lated to their field.

“(2) APPLICATION REQUIREMENTS.—In order  
to receive an award under this subpart, an eligible  
applicant shall submit an application to the Sec-  
retary at such time, and containing such information  
as the Secretary may require. The application shall  
include each of the following:

“(A) A description of the proposed project,  
including a plan for developing, piloting and im-  
plementing a high-quality, valid and reliable as-  
sessment that measures cognitive development  
in physical education and physical activity

1 skills, motor skills development, and how much  
2 students value physical activity for health, en-  
3 joyment, challenge, self-expression, and social  
4 interaction.

5 “(B) A description of how the proposed  
6 plan will be coordinated with the plans de-  
7 scribed in paragraph (1)(B).

8 “(C) An assurance that the results of the  
9 assessment will be disaggregated by race, eth-  
10 nicity, gender, disability status, migrant status,  
11 English proficiency, and status as economically  
12 disadvantaged, except that such disaggregation  
13 shall not be required in a case in which the  
14 number of students in a category is insufficient  
15 to yield statistically reliable information or the  
16 results would reveal personally identifiable in-  
17 formation about an individual student.

18 “(D) A plan for reporting the results of  
19 the assessment annually to the public by State,  
20 district, and school, with the results being  
21 disaggregated by race, ethnicity, gender, dis-  
22 ability status, migrant status, English pro-  
23 ficiency, and status as economically disadvan-  
24 taged, except that such disaggregation shall not  
25 be required in a case in which the number of



1 students in a category is insufficient to yield  
2 statistically reliable information or the results  
3 would reveal personally identifiable information  
4 about an individual student.

5 “(E) A plan for the evaluation of the effec-  
6 tiveness of the assessments implemented and  
7 for continuous improvement of the assessments.

8 “(3) REQUIRED USES OF FUNDS.—A recipient  
9 shall use funds under this subpart for—

10 “(A) developing, piloting, and imple-  
11 menting a high-quality, valid, and reliable as-  
12 sessment that measures cognitive development  
13 in physical education and physical activity  
14 skills, motor skills development, and how much  
15 students value physical activity for health, en-  
16 joyment, challenge, self-expression and social  
17 interaction;

18 “(B) coordinating the assessment plan  
19 with the other plans described in paragraph  
20 (1)(B);

21 “(C) ongoing evaluation of the assessment;  
22 and

23 “(D) public reporting.

24 “(4) REPORT TO THE SECRETARY.—A recipient  
25 shall report annually to the Secretary on—

1           “(A) the progress in developing, piloting,  
2           and implementing a high-quality, valid, and re-  
3           liable assessment that measures cognitive devel-  
4           opment in physical education and physical ac-  
5           tivity skills, motor skills development, and how  
6           much students value physical activity for  
7           health, enjoyment, challenge, self-expression  
8           and social interaction;

9           “(B) the quality of the assessment; and

10          “(C) the results of the assessment once it  
11          is implemented, disaggregated by race, eth-  
12          nicity, gender, disability status, migrant status,  
13          English proficiency, and status as economically  
14          disadvantaged, except that such disaggregation  
15          shall not be required in a case in which the  
16          number of students in a category is insufficient  
17          to yield statistically reliable information or the  
18          results would reveal personally identifiable in-  
19          formation about an individual student.

20          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
21          is authorized to be appropriated such sums as may be nec-  
22          essary to carry out this section for fiscal year 2008 and  
23          each of the following fiscal years.”.

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